



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ash Pirayou, Esq.
101 Park Center Plaza, Suite 1160
San Jose, CA 95113

DEC 06 2000

RE: MUR 4975

Dear Mr. Pirayou:

On February 23, 2000, the Federal Election Commission received the complaint submitted on behalf of your client, Peacock for Congress, alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on October 25, 2000. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", is written over the typed name.

Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

MUR 4975

MIKE HONDA FOR CONGRESS

Peacock for Congress, through its counsel Ash Pirayou, alleged that Mike Honda for Congress ("the Committee") used yard signs which failed to display the appropriate disclaimers.

The Committee responded that some lawn signs paid for by the Committee did not contain a disclaimer. The Committee stated that less than 50 of the 3,000 signs bought were distributed before the Campaign Manager noticed the problem. The remaining signs had labels affixed with the appropriate disclaimer. The Committee had no knowledge if the signs, which lacked disclaimers were posted, as they were distributed at a democratic luncheon and a union hall, and picked up at campaign headquarters. The Committee had no record of who took the signs.

This matter is less significant relative to other matters pending before the Commission, evidences no serious intent to violate the FECA, and reflects that some remedial action was taken by the Committee.